

grade. 9. Illegitimate, affinitive or consanguinal relatives up to the second grade. 10. Parents by adoption with their adopted children, or the adopted child will either surviving, or they with the surviving husband or wife of the adopted child. 11. The legitimate descendants of the parents by adoption with the adopted child, while the adoption lasts. 12. Adulterers who have been sentenced as such by the courts. 13. Those having been sentenced as principals, or principals and accomplices, of the death of the innocent spouse, even altho no adultery have been committed.

4.—The requisite permissions referred to in Art. 3 is to be obtained from the father; or in his default or absence or inability, under his order by the mother, maternal or paternal grandparents, or a relative of the third degree of consanguinity; or in default of all these, by the Municipal Judges of the towns in which the contracting parties reside.

5.—Those who, in accordance with the articles preceeding, are authorized to grant permission to minors to marry, will appear before the Municipal Judge of the town where they reside, and state that they grant such permission. This declaration will be given the Judge in writing, and will be signed by the Judge, his secretary and the person granting it, if he know how to write, and this shall be considered sufficient to accredit such permission.

6.—The age of the contracting parties may be accredited by any of the following means: Birth Certificate; Baptismal Certificate; declaration of the parents, grand parents, or relatives in the third degree, in writing, in the notification of intention to marry.

If the priest, or ministers or Municipal Judge think that the parties are manifestly of legal age, they can dispense with this requisite.

7.—Two witnesses will give testimony under oath, in the form prescribed by their religion, that the contracting parties are not incapacitated by any of the reasons mentioned in Article 3, and will sign the marriage certificate to this effect before the minister priest or judge who officiates at the wedding.

8.—Those contracting matrimony of any sort by infraction of any of the preeding articles, or witnesses testifying falsely to Article 7 will be proceeded criminally.

9.—The priest or minister of any religion, or the judge officiating at the marriage, must immediately fill out a certificate showing: City or town where the marriage is performed, date of celebration, name of judge, priest or minister showing under what religion these last are authorized; names, surnames, ages, and residences of the contracting parties; in case of necessity for either of them, whether permission has been obtained; rites or ceremonies performed if required by their religion; names ages, status, profession and address of the witnesses testifying to Art. 7. This Certificate shall be signed by the priests, minister or judge officiating, by the contracting parties, the witnesses, and other persons assisting at the ceremony if they know how to write.

10.—The officiating Minister or priest shall immediately send the original or a certified copy of the Certificate to the Municipal Judge of the town where the marriage has been celebrated, and shall be held responsible for so doing. The judge will literally transcribe in the Book of Civil Registry this Certificate, taking care to preserve the order of dates, and shall immediately make out a copy which he shall hand to the contracting parties for them to preserve.

11.—From this date all marriages not inscribed in the Civil Register shall not produce Civil effects.

Marriages contracted before this date shall be authenticated in the manner prescribed by laws previous to this order.

12.—Marriages contracted outside of this island in countries where no regular registry exists can be authenticated by any proof admitted in law.

13.—It is hoped that priests and ministers of all religions will facilitate the celebration of matrimony; not collecting any fees from the poor, and but moderate ones from others. Municipal judges, their substitutes or employees shall not charge any fee whatsoever for the performance of marriages, nor for the certificates there of.

14.—Those living in concubinage should try to marry as soon as possible.

Civil matrimony.

15.—Those wishing to contract purely civil matrimony shall present a notification referred to in Art. 20 to the Municipal Judge or his substitute, of the town in which they desire to be married. This notification shall contain: their names in full, age, status, profession, town of birth, street, number, or quarter where they reside and name of parents, and must bear the signatures of the contracting parties if they know how to write, if not, by proxy.

16.—Having received this notification, and Arts. 4, 5, 6, and 7 having been complied with, the judge shall notify the parties that the day following the marriage can take place.

17.—The marriage shall be celebrated by the Municipal judge, or by his substitute even if the judge have not delegated his official powers to him, and shall be in the following form: 1. On the day and hour named the contracting parties accompanied by 2 male witnesses of legal age shall appear before the Municipal

Judge, or his substitute, and Secretary; 2. The Secretary shall read aloud Arts. 56 and 57 of the Civil Code, 496 to 499 of the Penal Code; 3. The contracting parties shall swear, according to their religious beliefs, that they possess none of the disabilities referred to in Art. 3 of this Order; 4. The judge shall then put the following questions to each of the contracting parties: Do you wish to take..... for your wife, or husband? to which they shall answer in turn-I do-; 5. On their thus replying, the judge shall say; Your are united in Civil Matrimony; 6. The instructions in Arts. 9 and 10 shall then immediately be followed and the certificate shall state that all the requisites of this Order have been complied with.

Divorce.

18.—In purely Civil marriages divorces decreed by sentence of the Courts shall produce the rupture of the marriage bonds, and leave the parties in absolute liberty.

19.—Divorces referred to in the last Article, can only be decreed in purely Civil marriages, and for the following causes: 1. Adultery of the woman: 2. Adultery of the man with public scandal, or complete abandonment of the wife; 3. Cruelty by the husband toward the wife, when this is physical; 4. Attempt by the husband to forcibly make the wife, change her religion; 5. The attempt of the husband to prostitute the wife, or propositions made by him to her to that effect; 6. Attempt of the husband or wife to corrupt the children, or complicity in their corruption, or prostitution; 7. Sentence of either husband or wife to perpetual imprisonment; 8. Absolute and incurable physical impotence, contracted after the marriage.

20.—Divorce can only be sought by the innocent party.

21.—On the sentence of divorce being granted, or before if considered necessary the judge shall determine: The provisional separation of the parties, naming a legal temporary guardian for the woman; the delivery of the children to the innocent party, or if both be guilty the naming of a guardian, and their removal from the care of the parents; the fixing of a sum for alimony for the wife, and children who have not remained with the father; the adoption of measures to prevent the husband taking steps to prejudice the wife in the management of her property.

Effects of divorce.

22.—The decree of divorce must be registered in the Civil Registry in the margin of the entry of the marriage it refers to and shall produce the following effects: 1º The definite separation of the parties; 2. The children shall remain under the parental power of the innocent party. If both be guilty, under the care of a guardian named according to law; 3. Except the sentence of divorce expressly states the contrary, the mother shall have the care of her children under 3 years of age; 4. During the life of the innocent parent the privation of parental power over the persons or goods of his children for the guilty parent. The death of the innocent party will restore the parental power to the guilty party, if the divorce had been obtained for any of the reasons mentioned in Nos. 1, 2, 3, 4 and 7 of Art. 19. If for other causes, a guardian shall be named as already prescribed. The loss of parental power does not exempt the guilty party from the complement of obligations or duties towards his children; 5. The culpable party loses all that may have been given or promised by the innocent party, or by others for the innocent party's account, while the innocent party keeps all that he or she may have received, and also preserves the right to claim anything that may have been promised by the guilty party. The separation of the property of the parties, and if the wife so desires, the loss of the right to administer her affairs by the husband, if he has been the cause of the divorce; 7. If the husband be the innocent party, he reserves the right to administer the property of his wife to whom he must allow sufficient provide for her support.

GENERAL DISPOSITIONS

23.—This order has retroactive effect only in the case of purely Civil Marriages celebrated before its promulgation.

24.—Matrimony celebrated by persons having been born out of Island this shall be governed in Civil Matters by the laws of the country they belong to.

25.—The dispositions of the Civil Code regarding both Civil and Religious marriages remain in force when not conflicting with this Order.

26.—The Secretary of Justice will take steps to put this order into practice, and will have printed the blanks for the notifications and Certificate, which blanks he shall send gratis to the municipal judges and Alcaldías.

Porto-Rico, 17th. March 1899.

Very respectfully,

Herminio Diaz,

Secretary of Justice.

Approved

GUY V. HENRY,

Major General Volunteers,
Commanding.

Presidio del Departamento de Puerto-Rico.

JEFATURA

Por disposición del Honorable Sr. Secretario de Justicia, se saca á pública subasta el suministro de víveres con destino á los confinados de este Penal, para los meses de Abril, Mayo y Junio del corriente año, bajo las condiciones publicadas en la "Gaceta" número 150 de 26 de Junio de 1898, al tipo de veinte y dos centavos de peso provincial por cada ración, que es el que actualmente rije, y cuyo acto de subasta tendrá lugar en la referida Secretaría el día 29 del actual á las diez de la mañana.

Puerto-Rico, Marzo 23 de 1899.—El 1er. Jefe, Maximino Luzunaris. 3—3

Junta auxiliar de Cárceles de Guayama

Por el término de 30 días contados desde la fecha en que por primera vez aparezca este anuncio en la "Gaceta oficial" se publica la vacante de esta Alcaldía de Cárcel, á fin de que los que deseen servirla en propiedad presenten sus solicitudes debidamente documentadas en la Secretaría de esta Junta.

Se hace saber á los aspirantes que para ser Alcaide necesita:

- 1º Tener 30 años cumplidos.
- 2º Saber leer y escribir y contar correctamente.
- 3º Estar casado legítimamente.
- 4º Acreditar ser de buena conducta y moralidad irreprochables y no haber estado procesado criminalmente.
- 5º Prestar fianza de 500 pesos en efectivo ó de 1500 en fincas.

Guayama, 24 de Marzo de 1899.—El Alcalde, Dominguez. 3—1

A V I S O .

Accediendo á los deseos de numerosos clientes me veo precisado á continuar en el ejercicio de mi profesión de Procurador del Juzgado de 1ª Instancia de Utuado, y al hacerlo público, dejando sin efecto mi anterior aviso, tengo suma complacencia en ofrecer mis servicios en todas clases de asuntos contenciosos, tanto civiles como administrativos, de jurisdicción voluntaria, testamentarias abintestatos, etc. etc.

Utuado, Marzo de 1899.—Cárlos B. Buitrago Guillod, Procurador. 3—3

PROVIDENCIAS JUDICIALES.

Don Alfredo Arnaldo Sevilla, Juez de 1ª Instancia y de Instrucción del Distrito de la Catedral de esta Capital

Cito y emplazo por término de nueve días contados desde el que siga al de la publicación de esta requisitoria en la "Gaceta oficial" de la Provincia á Francisco Martí y Puentes, procesado por estafa y que se ausentó de su domicilio, para que se presente en este Juzgado; bajo apercibimiento de que si no lo hace será declarado rebelde y le parará el perjuicio á que hubiere lugar con arreglo á la ley.

Al mismo tiempo encargo á las Autoridades civiles y militares y á los agentes de Policía judicial, procuren capturar y conseguirlo, pongan á mi disposición á dicho procesado, que se presume puede hallarse en la Isla, y cuya identidad es como sigue: natural y vecino de esta Capital, soltero, de 21 años.

Dado en Puerto-Rico á 22 de Marzo de 1899. — Arnaldo.—El Secretario, Manuel Moraza.

JUZGADO DE 1ª INSTANCIA DE SAN FRANCISCO.

Escribanía de Don Manuel M. Ginorio.

En el juicio ejecutivo seguido en este Juzgado por el Procurador Don José H. Boneta, en nombre y representación de la Sociedad Hernalz y Compañía contra Don Tomás Jordan, se ha dictado sentencia, cuya parte dispositiva así como su encabezamiento son como sigue:

"En la Ciudad de San Juan Bautista de Puerto-Rico á los veinte y tres días del mes de Febrero de mil ochocientos noventa y nueve; el Sr. Don Jesús María Rosy y Calderón, Juez de 1ª Instancia de San Francisco de esta Capital, habiendo visto estos autos ejecutivos seguidos por la Sociedad mercantil de esta plaza Hernalz y Compañía contra Don Tomás Jordan, comerciante y vecino de Utuado, representada la primera por el Procurador Don José H. Boneta, bajo la dirección del Ldo. Don Herminio Diaz Navarro y el segundo en rebeldía, en cobro de cinco mil trescientos diez y ocho pesos cincuenta y cuatro centavos é intereses.

Fallo: que debo mandar y mando seguir la ejecución adelante hasta hacer trance y remate de bienes embargados y con su producto entero y cumplido hago á la Sociedad ejecutante, hasta hacerle pago de la cantidad de cinco mil trescientos diez y ocho pesos